

"Express Mail" mailing label number EV 715031927 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
LAMA124718		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/525,423		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/CA03/01295	22 August 2003	23 August 2002
TITLE OF INVENTION		
THERMOPHOTOVOLTAIC DEVICE		
APPLICANT(S) FOR DO/EO/US		
Gary KOVACIK, Lewis FRAAS, Chris ASTLE		

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- _____ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- X 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- _____ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- _____ 4. The US has been elected (Article 31).
- _____ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - _____ a. is attached hereto (required only if not communicated by the International Bureau).
 - _____ b. has been communicated by the International Bureau.
 - _____ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- _____ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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- ___ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- ___ a. are attached hereto (required only if not communicated by the International Bureau).
- ___ b. have been communicated by the International Bureau.
- ___ c. have not been made; however, the time limit for making such amendments has NOT expired.
- ___ d. have not been made and will not be made.
- ___ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ___ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ___ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ___ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ___ 13. A preliminary amendment.
- ___ 14. An Application Data Sheet under 37 C.F.R. 1.76..
- ___ 15. A substitute specification.
- ___ 16. A power of attorney and/or change of address letter.
- ___ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 C.F.R. 1.821 – 1.825.
- ___ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ___ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X 20. Other items or information: Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US)

The following fees are submitted:.		CALCULATIONS	
21. ___ a) Basic national fee	\$300.00	\$	
22. ___ b) Examination fee		\$	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)			
All other situations			

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23. <u> </u> c) Search fee				\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00					
International Search Report prepared and provided to the Office..... \$400.00					
All other situations..... \$500.00					
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,000.00
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
16	0				
-100 =	0/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	7- 20 =	0	x \$50.00	\$	
Independent claims	1- 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<u> X </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
TOTAL FEES ENCLOSED =				\$65.00	
00000128 10525423			Amount to be: refunded	\$	
65.00 OP			Amount to be charged:	\$	

10/18/2005 ATRAN
01 FC:2617

- X a. Check No. 166626 in the amount of \$65.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

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NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

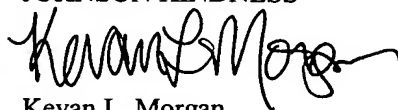
SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Kevan L. Morgan
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

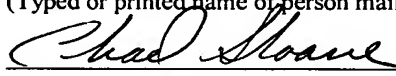


Kevan L. Morgan
Registration No. 42,015
Direct Dial No. 206.695.1712

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 715031927 US
Date of Deposit: October 11, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Chad Sloane
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

KLM:lpz

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UNITED STATES PATENT AND TRADEMARK OFFICE

LPZ

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,423	Gary Kovacik	LAMA124718

INTERNATIONAL APPLICATION NO.

PCT/CA03/01295

LA. FILING DATE	PRIORITY DATE
08/22/2003	08/23/2002

26389
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 1420 FIFTH AVENUE
 SUITE 2800
 SEATTLE, WA 98101-2347

CONFIRMATION NO. 5784

371 FORMALITIES LETTER

OC000000016909592

OC000000016909592

Date Mailed: 08/31/2005

DOCKETED

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/23/2005
- Copy of the International Search Report filed on 02/23/2005
- Copy of Article 19 Amendments filed on 02/23/2005
- Small Entity Statement filed on 02/23/2005
- Request for Immediate Examination filed on 02/23/2005
- U.S. Basic National Fees filed on 02/23/2005
- Priority Documents filed on 02/23/2005

PROCESSED DOCKETING

CLH SEP 07 2005

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS PLLC

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

DCL

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,423	PCT/CA03/01295	LAMA124718

FORM PCT/DO/EO/905 (371 Formalities Notice)